

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

TOMMIE BLACKBURN,

Plaintiff,

v.

**C.R. ENGLAND, INC., d/b/a C.R.
ENGLAND TRUCKING, INC.,**

Defendant.

§
§
§
§
§
§
§
§
§
§

CIVIL ACTION NO. 4:18-CV-111

ORDER OF DISMISSAL

Pending before the Court is Plaintiff Tommie Blackburn's ("Plaintiff") Motion for Dismissal with Prejudice (Dkt. #34), wherein Plaintiff advises the Court that all matters in controversy between Plaintiff and Defendants C.R. England, Inc., d/b/a C.R. England Trucking, Inc., and Jason Hanna ("Defendants") have been settled, and Plaintiff agrees to dismiss this case with prejudice. *See id.*

Federal Rule of Civil Procedure 41(a)(1) provides that a plaintiff may voluntarily dismiss an action without court order in one of two ways. A plaintiff may dismiss an action under Rule 41(a)(1)(A)(i) by filing "a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment." FED. R. CIV. P. 41(a)(1). A plaintiff may alternatively dismiss an action under Rule 41(a)(1)(A)(ii) by filing "a stipulation of dismissal signed by all parties who have appeared." *Id.* As such, formal court action is not necessary in this case. However, the Court finds that in the interest of efficiency, justice, and maintaining the clarity of the record, an entry of an order of dismissal as requested by the parties is appropriate.

Accordingly, it is hereby **ORDERED, ADJUDGED, AND DECREED** that Plaintiff's Motion for Dismissal with Prejudice (Dkt. #34) is **GRANTED**, and this entire action, and all of the claims asserted therein, are **DISMISSED WITH PREJUDICE**. Each party shall bear its own attorneys' fees, costs, and expenses.

All relief not previously granted is hereby **DENIED**, and the Clerk is directed to **CLOSE** this civil action.

IT IS SO ORDERED.

SIGNED this 4th day of January, 2019.

A handwritten signature in black ink, reading "Amos Mazzant", written over a horizontal line.

AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE